

IN THE UNITED STATES DISTRICT COURT
FOR THE
MIDDLE DISTRICT OF ALABAMA

**SUSAN SHIROCK DEPAOLA, IN HER
OFFICIAL CAPACITY OF TRUSTEE
FOR THE BANKRUPTCY ESTATE OF
STEVEN L. PRICE,**

Plaintiff,

v.

**STEPHEN L. PRICE and STARLA
WATSON PRICE FRAZER,**

Defendants.

V.

**BADDLEY & AURO, LLC, and
THOMAS E. BADDLEY, SUSAN S.
DePAOLA,**

Counter Defendants.

Case No 06-03317-MHT

MOTION FOR LEAVE TO WITHDRAW DOCUMENT IMPROPERLY FILED

COMES NOW Counsel for Susan DePaola, Trustee, and moves this honorable court for leave and order to withdraw the motion entitled "Motion for Agreed Order Allowing Counsel for Susan DePaola, Trustee, to File Brief in Response to Motion for Summary Judgment of Starla Watson Price Frazer by Friday, June 16, 2006", that was improperly filed in this court and should have in fact been filed with the office of the clerk in the United States Bankruptcy court for the Middle District of Alabama.

Respectfully submitted on this the 8th day of June 2006.

Memory & Day

By: /S/ Von G. Memory
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ASB-8137-071V

James L. Day
ASB-1256-A55J

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CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing document on the following, by:

- placing same in the United States Mail, postage prepaid, and properly addressed
- facsimile
- hand delivery
- delivered in open court

on June 8, 2006.

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